

Message Text

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SUBJ: I.A. NEGOTIATIONS MEETING JUNE 12, 1974:

COMMUNICATIONS AND ELECTRONICS

REF: ANKARA 4432

SUMMARY: AT I.A. NEGOTIATIONS MEETING JUNE 12, 1974, DISCUSSION CONTINUED ON ARTICLE 7 (CHANGES) COMMUNICATIONS AND ELECTRONICS I.A. (C&E) ON FINAL SENTENCE TURKISH DRAFT MAIN TEXT AND AGREED MINUTE REGARDING PRIOR NOTICE TO TGS ON ALL CHANGES. U.S. PROPOSED LANGUAGE PROVIDING THAT "TGS WILL BE ADVISED PROMPTLY, AND IF POSSIBLE, IN ADVANCE,". TURKS REJECTED, STATING U.S. PROPOSAL FORECLOSED TURKISH ABILITY TO MAKE THEIR OWN DECISION ON NATURE OF CHANGES. BOTH SIDES AGREED TO FORMULATE NEW LANGUAGE FOR NEXT MEETING. ARTICLES 10, 11, 13 AND 14, WHICH HAD BEEN MODIFIED BY U.S. TO FOLLOW NEW NINOP PROTOTYPE, WERE AGREED WITH MINOR CHANGES TO 10 AND 13 AND WITH OPEN ISSUE ON 11 LEFT

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OPEN AS PER SINOP AND OTHER GEOGRAPHIC I.A.'S. TURKS SUGGESTED

TAKING UP PORT AGREEMENT AT NEXT MEETING WITH VIEW TO RESOLVING DEFINITION U.S. SUPPORT CARGO AS STEP TOWARD REACHING AGREEMENT ON ARTICLE 11 C&E AND GEOGRAPHIC I.A.'S , AND FOLLOWING PORT AGREEMENT WITH AIR TECH I.A. END SUMMARY.

1. ARTICLE 7: FINAL SENTENCE MAIN TEXT AND AGREED MINUTE
TURKISH DRAFT: U.S. PROPOSED: GHOWEVER, THE TGS WILL BE ADVISED PROMPTLY, AND IF POSSIBLE, IN ADVANCE, OF ANY SUCH CHANGES THAT MIGHT HAVE AN EFFECT ON TURKISH MILITARY COMMUNICATIONS INSTALLATIONS OR OPERATIONS."

2. TURKS REJECTED U.S. PROPOSAL ON GROUND THAT IT FORECLOSED TURKISH REVIEW OF U.S. DECISIONS ON NATURE OF A CHANGE. ASIDE FROM POSSIBILITY OF INTERFERENCE, U.S. CHANGE MIGHT DEGRADE OR RENDER UNUSABLE A TURKISH-USED PORTION OF U.S. SYSTEM. U.S. WOULD NOT DEROGATE FROM ITS RIGHTS UNDER DCA BY NOTIFYING TURKS IN ADVANCE. ARGUMENTS REPORTED REFTEL REITERATED.

3. U.S. REVIEWED ITS POSITION AS REPORTED REFTEL AND NOTED THAT TURKISH CONCERNS REGARDING INTERFERENCE AND POSSIBLE DOWNGRADING OF THEIR PORTIONS OF U.S. SYSTEMS ADDRESSED IN ARTICLE 9, PARAS C. AND D. DCA ART III 1.G., AND AGREED MINUTE THERETO, MADE CLEAR PRIOR NOTIFICATION NOT REQUIRED ON CHANGES NOT AFFECTING NATURE, PURPOSE OR ACTIVITIES. U.S. WILLING TO AGREE ON LANGUAGE GOING BEYOND DCA TO MEET SPECIFIC PROBLEM SUCH AS INTERFERENCE BUT TURKISH LANGUAGE MUCH TOO BROAD, IMPLYING, DESPITE TURKISH ASSURANCES TO CONTRARY, THAT DRAFT C&E ARTICLE 7 APPLIED TO OTHER I.A.'S AS WELL. U.S. POINTED OUT THAT FIRST SENTENCE MAIN TEXT TURKISH DRAFT, ALTHOUGH DERIVED FROM DCA HAD ADDED: "APPARATUS AND EQUIPMENT, AND COMMUNICATIONS-ELECTRONICS EQUIPMENT," INDICATING THAT ARTICLE INTENDED TO COVER OTHER OPERATIONS BESIDES C&E.

4. TURKS AGREED THAT SOME DELETIONS FROM FIRST SENTENCE IN ORDER TO MAKE CLEAR THAT TEXT APPLIED ONLY TO C&E OPERATIONS. THEY SUGGESTED DELETION "AND EQUIPMENT" BETWEEN WORDS, "APPARATUS" AND "AND COMMUNICATIONS-ELECTRONICS EQUIPMENT". U.S. NOTED SUGGESTION. TURKS ALSO SUGGESTED ESTABLISHING A LIST OF MINOR CHANGES WHICH WOULD NOT REQUIRE NOTIFICATION TO TURKEY IN ANY FORM. U.S. MADE NO RESPONSE TO THIS.

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(COMMENT: EXEMPTION LIST WE FEEL WOULD RESTRICT US UNDULY. WE CONTINUE TO FAVOR DERIVATION OF THOSE CHANGES REQUIRING PRIOR NOTIFICATION, AS EXCEPTIONS TO GENERAL RULE OF MOST CHANGES WHICH WILL NOT REQUIRE NOTIFICATION.)

5. U.S. PROPOSED TURKS CONSIDER LANGUAGE PUT TO THEM IN NOVEMBER 27, 1973, U.S. DRAFT PROCEDURE ON CONSTRUCTION AND OTHER CHANGES, PARAGRAPH 2.E.; "FOR ANY COMMUNICATIONS SYSTEM

CHANGES WHICH DO NOT AFFECT THE PURPOSE, NATURE, OR ACTIVITIES OF AN INSTALLATION.....BUT WHICH REQUIRE COORDINATION AND CONTROL TO PRECLUDE INTERFERENCE, APPROPRIATE ADVANCE CONSULTATION WILL BE PROVIDED BY JUSMMAT WITH TGS (DCA ART XII). TURKS DECLINED TO COMMENT ON LANGUAGE, OPINING THAT, IN INTEREST OF EARLY CONCLUSION C&E, IT WOULD BE BETTER NOT TO TIE I.A. TO PROCEDURES FOR CONSTRUCTION AND CHANGES NOW UNDER DISCUSSION AT SUBCOMMITTEE LEVEL.

6. AGREEMENT FINALLY REACHED THAT EACH SIDE WOULD FORMULATE NEW LANGUAGE IN EFFORT TO BRIDGE GAP BETWEEN THE TWO POSITIONS ON ARTICLE 7.

7. ARTICLES 10, 11, 13 AND 14--SINOP PROTOTYPE MODIFICATIONS: U.S. ASKED TURKS IF THEY HAD ANY OBJECTION TO U.S. DRAFT ARTICLES 10, 11, 13, AND 14(FOLLOWING 22 NOV 73 U.S. C&E DRAFT). TURKS COMMENTED THAT THEY ACCEPTED ART 10 WITH SUGGESTION THAT NUMBERS OF REFERENCED ANNEXES BE LEFT BLANK UNTIL ANNEXES FINALIZED; THEY UNDERSTOOD THAT ART 11 FOR C&E REMAINED OPEN ON ISSUE OF WHETHER TURKISH APPROVAL REQUIRED FOR ITEMS OF EQUIPMENT OTHER THAN MAJOR; ART 13 ACCEPTED IF U.S. COULD AGREE TO DELETE FIRST CLAUSE OF GREED MINUTE: "WHERE APPLICABLE AND MUTUALLY AGREED" SINCE FIRST CLAUSE MAIN TEXT: "IF REQUIRED AND AGREED BY THE PARTIES" ALREADY COVERED THAT POINT; ARTICLE 14 ACCEPTED AS IS. U.S. ACCEPTED TURKISH SUGGESTION FOR ARTICLE 10; CONCURRED THAT ARTICLE 11 REMAINED OPEN; ACCEPTED DELETION PROPOSED FOR ARTICLE 13 AGREED MINUTE; AND NOTED AGREEMENT ON ARTICLE 14.

8. FOR AGENDA NEXT MEETING, TURKS SUGGESTED THAT , IN ADDITION CONTINUING DISCUSSION ARTICLE 7 C&E, WE RETURN TO PORT AGREEMENT IN EFFORT TO RESOLVE DEFINITION OF U.S. SUPPORT CARGO. RESOLUTION THAT ISSUE WOULD OPEN WAY TO
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AGREEMENT ON ARTICLE 11 C&E AND GEOGRAPHIC I.A.'S AND WOULD HELP WITH ARTICLE 7 AS WELL. SINCE SPECIAL DIFFICULTIES IN C&E ARTICLE 7 DID NOT EXTEND TO GEOGRAPHIC I.A.'S , TURKS FELT THAT RESOLUTION THAT ARTICLE SHOULD LEAD TO RAPID CONCLUSION OF OTHER, SIMPLER ARTICLES 7. FOLLOWING PORT I.A., TURKS SUGGESTE TAKING UP OUTSTANDING ISSUES IN AIR TECH I.A. U.S. CONCURRED IN AGENDA.
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